

REMARKS

Pending Claims

Claims 1 and 11 have been canceled without prejudice or disclaimer. Claim 2 was previously canceled. Claims 3, 4, 7, 13, and 15-17 were previously withdrawn from consideration.

Claim 10 has been amended for clarification and to include the additional limitation that the interlabial pad within the wrapping container is two-folded. Support for this amendment is found in the specification at, for example, page 20, lines 10-21. Claims 5, 6, 8, 9, and 14 have been amended for clarification and to depend from claim 10. Support for these amendments is found in the specification, for example, in original claims 5, 6, 8, 9, and 14. Claim 12 has been amended to depend from claim 10 and include the additional limitation that the interlabial pad have the specified dimensions. Support for this amendment is found in the specification at, for example, page 26, line 27-page 27, line 3. Claim 18 has been amended for clarification. Support for this amendment is found in the specification at, for example, page 15, lines 16-26.

Claims 3-10 and 12-18 are pending. No new matter has been added.

Claim Rejections under 35 U.S.C. § 112

Claims 5, 11, 14, and 18 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 11 has been canceled making its rejection moot.

The Examiner identifies the phrases “said end edge” in claim 5 and “the main body” in claim 18 as lacking antecedent bases. These claims have been amended to depend from claim 10, which provides antecedent bases for the above phrases.

According to the Examiner, claim 14 is indefinite because the specification does not provide the phrase “a cut off portion.” Applicants respectfully traverse the rejection with respect to claim 14. The specification discloses an individual wrapping container where the “cover is shaped to have a cut off portion at a place where said individual wrapping container is held”

Specification at page 3, lines 15-20. The “cut off portion” provides a cover shaped so that “a finger of a wearer holding the wrapping body does not obstruct [the] unwrapping operation.” Specification at page 3, lines 23-27. Applicants previously responded to an identical rejection of claim 1 by amending the phrase to read “cut portion.” However, the specification discloses a “cut portion” where the unwrapping portion constitutes a perforation. *See* specification at page 23, lines 1-10. Therefore, a “cut off portion” refers a portion of the cover absent to permit holding the wrapping body during unwrapping, and a “cut portion” refers to a cut portion of a perforation. To avoid ambiguity and maintain consistency between the specification and claims, Applicants submit that “cut off portion” is proper for referring to the recited feature of claim 14. One of ordinary skill in the art would understand the metes and bounds of claim 14 when read in light of the specification. Accordingly, claim 14 is not indefinite.

Claim 18 has also been rejected because the phrase “a side extending parallel . . . an acute angle” is allegedly inaccurate and indefinite. According to the Examiner, there is no support in the elected embodiment for a side extending parallel to the direction of unwrapping. Applicants have amended claim 18 to define to the angle in terms supported by the other claims of the elected species.

According, in view of the above amendments and arguments, Applicants submit that claims 5, 14, and 18 are definite as amended and respectfully request the rejection be withdrawn.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 6, 8-11, and 14 have been rejected under 35 U.S.C. §§ 102(b) and 102(e) as being anticipated by at least one of Berg, Jr. et al. (U.S. Patent No. 5,484,636), Allison (U.S. Patent No. 4,857,066), or Kim et al. (U.S. Patent No. 6, 502, 695). The Examiner cites each of these references as disclosing an individual wrapping container comprising (1) a main body having an interlabial pad and (2) a cover that covers part of the main body. According to the Examiner, each also discloses a wrapping container having a cut off portion at a predetermined region of the cover

where the wrapping container is held when being opened. Applicants respectfully disagree and traverse the rejection.

Claim 1 has been canceled and the remaining pending claims have been amended to depend directly or indirectly from claim 10. Amended claim 10 recites:

Claim 10: A wrapping body comprising:
an interlabial pad to be held between labia and an individual wrapping container for individually wrapping said interlabial pad,
wherein the interlabial pad in said individual wrapping container is arranged on a position where at least one part of said interlabial pad is held at the same time when said individual wrapping container is held,
wherein the interlabial pad is twofolded,
wherein the individual wrapping container comprises:
a main body for containing said interlabial pad, and
a cover that covers a part of said main body, the cover forming an unwrapping portion at an end edge portion to be unwrapped to open the individual wrapping container;
wherein the individual wrapping container has a predetermined region where a finger of a wearer is applied, and
said end edge of said cover is curved to a bottom of the individual wrapping container.
(Emphasis Added.)

In contrast, Berg, Allison, and Kim disclose individually packaged sanitary napkins, rather than an interlabial pad, as required by claim 10. Berg and Allison teach wrapping containers for sanitary napkins that provide an integral means for disposal. *See, e.g.*, Berg at col. 1, lines 49-61 and Allison at col. 1, line 8-18. Kim teaches an individually packaged absorbent article having outwardly extending tabs and adhesive elements on a backsheet, i.e., a sanitary napkin. *See* col. 1, line 61-col. 2, line 5. None of the references cited by the Examiner teach or suggest a wrapping body comprising an interlabial pad.

Furthermore, Applicants have amended claim 10 to recite the limitation that the interlabial pad is two-folded. This feature permits the wearer to easily position a finger within a finger insertion opening for application of the interlabial pad without contamination. *See* specification at page 20, lines 10-21. In contrast, the cited references do not teach or suggest this configuration.

For at least the above reasons, Applicants submit that the prior art of record does not teach or suggest each and every limitation of amended claim 10. Accordingly claim 10 is not anticipated, and Applicants request that the rejection be withdrawn. The remaining pending claims depend directly or indirectly from claim 10 and are not anticipated for at least the same reasons.

The present invention addresses problems unique to wrapping containers for an interlabial pad due to their small size relative to larger sanitary napkins. It is recognized in the art that an interlabial pad is easily dropped from the wrapping container because, unlike sanitary napkins, the interlabial pad is not adhesively affixed to the wrapping container. *See* specification at page 2, lines 13-26. The relatively large size of the sanitary napkin makes it advantageous that the pad is tri-folded to minimize the area of the folded article. *See* Kim at col. 5, lines 11-19. Therefore, it would not be obvious to modify the teachings of the cited references to provide the wrapping container claimed in claim 10. Therefore, Applicants submit that amended claim 10 is allowable over the references cited by the Examiner.

Claim Rejections under 35 U.S.C. § 103

Claims 5, 12, and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art of record. In addition to the references cited above, the Examiner cites a published Japanese Patent Application to Kao Corp. (No. 2000-051265) and Cataneda (U.S. Patent No. 3,970,087) as a partial basis for the rejections. Like the other references, Kao Corp. discloses an individually packaged sanitary napkin. *See* Figs. 3 and 5. Cataneda discloses an envelope for a sanitary napkin that, *inter alia*, provides a “do-it-yourself” sanitary napkin by stuffing the envelope with readily available absorbent material, such as rags or sawdust. *See* col. 1, lines 61-66.

Claims 5, 12, and 18 have been amended to depend from claim 10 and include the limitations discussed above. As previously mentioned, the references cited above do not teach the limitations of amended claim 10. The addition of Kao Corp. or Castaneda does not cure these deficiencies in teaching an individually wrapped interlabial pad. Furthermore, for the reasons discussed above, it would not be obvious from their teachings to provide the wrapping container

according to claim 10. Claims 5, 12, and 18 depend from allowable claim 10, and Applicants submit they are patentable for at least the same reasons.

Double Patenting Rejection

Claims 1, 5, 6, 8-12, 14, and 18 have been rejected under the doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent Application No. 10/705,669. The '669 Application has been abandoned by failure to respond to an outstanding Office Action. Therefore, the rejection for double patenting is moot.

CONCLUSION

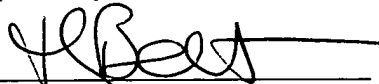
In view of the above amendments and remarks, Applicants believes the pending application is in condition for allowance.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

By



Thomas J. Bean

Registration No.: 44,528

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant